

**WILLARD CITY CORPORATION PC080416**

DATE: August 4, 2016  
TIME: 6:30 p.m.  
PLACE: Willard City Hall  
ATTENDANCE: Chairperson – Terry Ross  
Commissioners: Sidney Bodily, Gary Hart, Leslie Meyer, Chandler Bingham, John Seamons  
Bryce Wheelwright - City Planner (non-voting member)  
Del Fredde – City Council member (non-voting member)  
Gaylene Nebeker - Planning Commission Secretary  
  
EXCUSED:  
CITIZENS: See attached sheet

1. **Prayer – Leslie Meyer**
2. **Pledge of Allegiance led by Chandler Bingham**
3. **General Public Comment (Input for items not on the agenda)**
4. **Discussion Item**

**a. Discussion on Access Road Issues for the landowners adjacent to the Re-Zone Request by Jared Erickson representing Samuel Kunzler for Parcels #02-035-0046, 02-038-0056, 02-040-0002, 02-043-0013, 02-038-0009, 02-040-0001 and 02-040-0011 for the property located at approximately 1469 Hargis Hill Road**

Jared Erickson stated he had met with the 3 landowners Larry Holmes, Marion Stokes and Doug Thompson on a one to one basis on the access lane. One of their concerns is to make sure there is something in writing stating it is going to happen, because there have been issue in the past with documentation. He showed on the handout Revision 1 that shows different designs showing Larry Holmes property and said with this revision they would get 4 more lot in their development. After talking with Mr. Holmes about the concerns about the road going to the trail and what would happen when the road was tore up during construction. They went to handout Revision #2 which gives Mr. Holmes more lots and a less awkward shape lots. Mr. Holmes felt the first plan Revision #2 was the better plan. Marion Stokes stated she also wants something in writing. Doug Thompson also said he wanted something in writing and did not care what they did as long as he had access to his property. Chairperson Ross asked if the dotted line on the handout was the current easement. Jared stated yes it is the stock trail easement. Commissioner Bodily asked when everything was done in the development would it be a road or easement. Jared stated when the development is done it will become the backyards for those lots and will go away once there is public access for properties. He also stated he has told this to those landowners that the stock trail would go away and they would have legal access down the other roads. Commissioner Meyer stated it is a different access then what they have always had but they will always have access to their properties. Jared stated in conversations with the landowners they all said they do not use the road much but have used it in the past but is still access to their property. Council member Fredde asked if Larry Holmes was obligated to this plan. Jared Erickson stated he is not representing him but only wanted to show him what it could be if he develops. Commissioner Meyer asked about the 3 cul de sac and stated she did not want to see dead end roads. City Council member

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Fredde felt with the dead end roads it could become an issue with the Fire Department for access. There was discussion held on having 2 roads in and out. Commissioner Bingham felt unless Larry Holmes goes in on the PUD and develops along with Sam Kunzler would Larry Holmes be required to have ½ acre lots on his parcel. Jared Erickson stated he was not sure and would be talking with City Planner Wheelwright about this issue. City Planner Wheelwright said he would have to unless he rezones as a PD because there is more than 5 acres. He said if the plan goes forward they would start the development agreement the city could contact Larry Holmes to see if he would like to rezone for a PD. Jared Erickson asked if this would even be a possibility 20 years down the road. City Planner Wheelwright stated yes. Commissioner Meyer asked if the school was still on board. Jared stated he had talked to them after the last meeting and they were still interested but there is no agreement in place at this time.

City Council member Fredee said if Larry Holmes was allowed to wait 20 years the requirements could be different and felt the city would not want to lock themselves into something like this. There was discussion on if it could be grandfathered. Commissioner Bingham asked if Larry Holmes was to go in with request and rezone to a PD would he be required to have his own open space or would the developments open space count for his. Jared stated they have enough open space and does not want to leave Larry Holmes in a bad spot. Commissioner Bodily felt that depending on when he decided to develop he would be required to have his plan approved according to what the rules are at that time. City Planner Wheelwright stated he would discuss with Larry Holmes so he could weigh his options. There was discussion held on the master planned roads and also the trail being unusable during construction of the development. Commissioner Bodily asked if there is a time frame for the school. Jared Erickson stated there is nothing in the works at this time. There was concerns about not having the water. Jared stated the water plan that Hansen and Associates prepared takes into account the school as far as how many students and the water that will be used.

The School District is looking at selling or trading their land in the south end of Willard because they want to put the school in the northern section of Willard. City Planner Wheelwright stated the school district goes by population so it may be a few years before anything is done. Commissioner Bingham had concerns about there only being one way in and out from the proposed town houses and suggested they look at connecting the two section on the other side of the school as a second access out of the development. There was discussion held on where they could put a second access and the possibility of putting a road across the dark green section of the plan. Jared Erickson stated the dark green section on the plan is considered wetlands and it would be hard to put a road through that area but he would look into it. Chairperson Ross asked what the next steps would be. City Planner Wheelwright felt if the Planning Commission was ok with the concept plan they could move forward with the Development Agreement and final plot plan. Jared said he did not want to come back to the Planning Commission with a plan for the road and suggested he come up with a plan and email a copy to the city to see if it will work. He needs to talk with the Army Corp of Engineers on a few other issues and will discuss it with them. City Planner Wheelwright said for a Planned Development to be approved they need to have a plan in place and the Re-zone, Development Agreement and the plan will all be approved at one time at the City Council level. The preliminary plan has been approved with the changes made and will move forward. Chairperson Ross asked for any additional comments. Commissioner Bingham asked with the three items needed for approval (re-zone, development agreement and plan) asked if Larry Holmes comes in with the Development Agreement could he be given an exemption for not having to development within a certain amount of time. City Planner Wheelwright said this could be negotiated. Commissioner Seamons asked on the plan there are existing access easements for Gerald Wilson and David Jenson from the Hargis Hill Road and asked why the

Ricks property did not. Jared Erickson was not sure why. He stated the plan looks good and was good to see Larry Holmes included in the plan. Jared stated Larry Holmes likes the plan but is not necessarily on board with the plan. Chairperson Ross was ok with the plan and liked the idea of an extra access road. He also asked what the solution was for the water. Jared Erickson stated a solution would be to build a reservoir on the east side and piping it down and said the report that was done addresses all the issues. He will look at working with the city to see what types of grants are available and will all be put in the Development Agreement.

**5. Approval of Minutes**

**The minutes of the July 21, 2016 Planning Commission meeting were reviewed. A motion was made by Commissioner Meyer to approve the above minutes as amended with typographical errors. The motion was seconded by Commissioner Seamons. The motion carried.**

**6. Commissioner Comments/Staff Comments**

City Planner Wheelwright reported on the City Council meeting discussion on water. There were several items discussed #1 review the water rates to see if they can be lowered to see if the city could qualify for loans. He gave the rates for Brigham City and Perry. Commissioner Bingham stated in Brigham City and Perry they do not require you to have a ½ acre that needs to be watered and this needs to be taken into consideration when discussing fees. #2. Ben Quick the General Manager for Pineview Water will be at the next City Council meeting to discuss secondary water. He stated after discussion with Mr. Quick there is criteria the city must follow. ½ of the residents would be required to hook up, Willard City would need to complete a feasibility study which will cost \$65,000, and the citizens will need to be polled to see what they think and will do a mock-up of the system. Using South Willard as an example the initial hook up fee would be approximately \$800.00 per hookup and \$250 increase per year on county taxes. He also stated ½ of each block would be required to hook up. The current system is over 20 years old and is in need up being upgraded or updated. #3. Bear River Water Conservancy has offered to help with a system upgrade on both ends of town which would cost less than going through our Engineer.

He also reported Granite Ridge have paved the road and will be moving forward. He reported on Land Use Training on August 27<sup>th</sup>. Commissioner Seamons asked about the status of the Nuisance Ordinance. City Planner Wheelwright stated there are a few issues the Police Chief and Attorney are working on. Chairperson Ross asked if it would help if the Planning Commission went to the City Council meeting asking that something be done. Commissioner Bodily stated this has been going on for 5 years and felt something needed to be done. City Planner Wheelwright stated he would look into it and report back. City Council member Fredde thanked the Planning Commission for all their hard work and thanked Chairperson Ross and Commissioner Meyer for coming to the City Council meeting.

**7. Adjourn**

**A motion was made by Commissioner Seamons to adjourn the August 4, 2016 Planning Commission meeting. The motion was seconded by Commissioner Bingham. The motion carried. The meeting adjourned at 7:40 p.m.**

**Minutes were read individually and approved on August 18, 2016**

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Planning Commission Chair Person  
Terry Ross

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Planning Commission Secretary  
Gaylene Nebeker